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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/057,912

01/29/2002

Yutaka Iyoki

P21952

3713

7055

7590

06/23/2006

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EXAMINER

PATEL, CHIRAG R

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/057,912

Applicant(s)

IYOKI, YUTAKA2

Examiner

Chirag R. Patel

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Arguments

Applicant's arguments, see pages 2-8, filed , with respect to the rejection(s) of claim(s) 17-35 under 35 USC § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lo et al. (US 5,911,044).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 17-18, 21-22, and 25-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Lo et al. – hereinafter Lo (US 5,911,044).

As per claims 17, 21, and 25, and 26, Lo discloses a scanner apparatus configured to scan image data, comprising:

an interface configured to be connected to a terminal apparatus via a network;
and a controller (Col 9 lines 42-47) comprising:

a search packet receiver configured to receive, from the terminal apparatus, a search packet, the search packet being utilized to search for a scanner apparatus connectable to the terminal apparatus, (Col 12 lines 50-58, Col 19 lines 8-28)

a response transmitter configured to transmit, to the terminal apparatus, a

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response to the search packet, (Col 12 lines 59-62)

a receiver configured to receive, from the terminal apparatus, terminal information, the terminal information including an IP address of the terminal apparatus, after the response to the search packet is transmitted to the terminal apparatus, and (Col 15 lines 10-32, Col 17 lines 56-67)

a transmitter configured to transmit to the terminal apparatus, the canned image data, based on the IP address of the terminal apparatus included in the received terminal information. (Col 16 lines 54-64)

As per claims 18 and 22, Lo disclose the scanner apparatus of claim 17 wherein the search packet includes identification information, the identification information identifying the terminal apparatus, and the response transmitter transmits, to the terminal apparatus, the response to the search packet, when the identification information of the search packet matches identification information of the scanner apparatus. (Col 12 lines 50-62)

As per claims 27, 29, and 31, Lo disclose the scanner apparatus according to claim 17, wherein the response transmitter does not transmit, to the terminal apparatus, the response to the search packet, when the identification information of the search packet does not match identification information of the scanner apparatus. (Col 16 lines 4-9)

As per claims 28, 30, and 32, Lo disclose the scanner apparatus according to claim 17 wherein the identification information identifying the terminal apparatus comprises a group name of the terminal apparatus, and the response transmitter transmits, to the terminal apparatus, the response to the search packet, when the group name of the search packet matches a group name of the scanner apparatus. (Col 8 lines 34-41)

As per claims 33-35, Lo discloses the scanner apparatus according to claim 17, wherein the search packet receiver is configured to receive a search packet that is broadcast by the terminal apparatus. (Col 19 lines 18-28)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19-20 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lo (US 5,911,044) in view of Idehara et al. – hereinafter Idehara (US 2002/0038372)

As per claims 19 and 23, Lo disclose the scanner apparatus according to claim 17. Lo discloses further comprising a memory configured to store data and an input configured to input information, wherein the terminal information the IP address of the terminal apparatus, the controller stores the IP address of the terminal apparatus in the memory, the controller obtains, from the memory, the IP address of the terminal apparatus. (Col 15 lines 10-32)

Lo fails to disclose inputs a password, associating password with ip address, and transmitting to terminal apparatus, the scanned image data , based on obtained IP address. Idehara discloses inputs a password, associating password with ip address, and transmitting to terminal apparatus, the scanned image data , based on obtained IP address. ([0137], [0142], The device information of the scanner 10 contains the connection information required for establishing the connection between the portable terminal 40 and the scanner 10 via the local interface 17 and the network 30, [0154]; Figure 8: item S209, [0285])

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose inputs a password, associating password with ip address, and transmitting to terminal apparatus, the scanned image data , based on obtained IP address. Idehara discloses inputs a password, associating password with ip address, and transmitting to terminal apparatus, the scanned image data , based on obtained IP address in the disclosure of Lo. The motivation for doing do would have to implement the security function. ([0285])

As per claims 20 and 24, Lo disclose the scanner apparatus according to claim 17. These limitation are similar to that of claim 19, however replaces a password with a username. Lo fails to disclose input a username associated with IP address. Idehara disclose inputs a username, associating a username with IP address, and transmitting to terminal apparatus, the scanned image data , based on obtained IP address.

([0137],[0146]; [0285]; Figure 8: item S209, login name reads on the limitation for a username) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose in the disclosure of Lo. The motivation for doing do would have been to identify the user and to implement the security function. ([0138],[0285])

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R. Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public

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RUPAL DHARIA
SUPERVISORY PATENT EXAMINER